HOUSE BILL NO. 814

AN ACT TO AMEND SECTION 71-3-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPEALS FROM THE WORKERS' COMPENSATION COMMISSION SHALL BE TO THE COURT OF APPEALS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 71-3-51, Mississippi Code of 1972, is amended as follows:

71-3-51. The final award of the commission shall be conclusive and binding unless either party to the controversy shall, within thirty (30) days from the date of its filing in the office of the commission and notification to the parties, appeal therefrom to the Court of Appeals.

Such appeal may be taken by filing notice of appeal with the commission, whereupon the commission shall under its certificate transmit to the Court of Appeals all documents and papers on file in the matter, together with a transcript of the evidence, the findings, and award, which shall thereupon become the record of the cause. Appeals shall be considered only upon the record as made before the commission. The Court of Appeals shall always be deemed open for hearing of such appeals. The Court of Appeals shall review all questions of law and of fact. If no prejudicial error be found, the matter shall be affirmed and remanded to the commission for enforcement. If prejudicial error be found, the same shall be reversed and the Court of Appeals shall enter such judgment or award as the commission should have entered. Appeals may be taken from the Court of Appeals to the Supreme Court in the manner as now required by law. An appeal from the commission to the Court of Appeals shall not act as a
supersedeas unless the court to which such appeal is directed shall so direct, and then upon such terms as such court shall direct.

No controversy shall be heard by the commission or an award of compensation made therein while the same matter is pending either before a federal court or in any court in this state.

Any award of compensation made by the Court of Appeals and appealed to the Supreme Court shall bear the same interest and penalties as do other judgments awarded in the Court of Appeals.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.